

# **TITLE 848 INDIANA STATE BOARD OF NURSING**

LSA Document #02-183

## **DIGEST**

Adds 848 IAC 6 concerning the interstate nurse licensing compact and multistate licensure privileges. Effective July 1, 2003.

### **848 IAC 6**

SECTION 1. 848 IAC 6 IS ADDED TO READ AS FOLLOWS:

#### **848 IAC 6-1-1 Definitions**

Authority: IC 25-23-1-7; IC 25-23.2-3-5

Affected: IC 25-23-1; IC 25-23.2

Sec. 1. (a) As used in this title:

- (1) "Board" means the regulatory body responsible for issuing nurse licenses.
- (2) "Compact" means the Interstate Nurse Licensing Compact.
- (3) "Coordinated Licensure Information System (CLIS)" means the integrated process for collecting, sorting and sharing information on nurse license and enforcement activities related to nurse licensure laws, which is administered by the National Council of State Boards of Nursing, Inc (NCSBN), a nonprofit organization composed of and controlled by state nurse licensing boards.
- (4) "Home state" means the party state that is the nurse's primary state of residence.
- (5) "Party state" means any state that has adopted the Interstate Nurse Licensing Compact.
- (6) "Primary state of residence" means the state of an individual's declared fixed permanent and principal home for legal purposes; domicile.
- (7) "Public" means any individual or entity other than designated staff or representatives of party state boards or the National Council of State Boards of Nursing, Inc.

(b) Other terms used in these rules are defined as in the Interstate Nurse Licensure Compact, IC 25-23.2-1.

*(Indiana State Board of Nursing; 848 IAC 6-1-1)*

#### **848 IAC 6-1-2 Issuance of a license by a Compact party state**

Authority: IC 25-23-1-7; IC 25-23.2-3-5

Affected: IC 25-23-1; IC 25-23.2

Sec. 2. For the purpose of the interstate nurse licensure compact:

(a) A nurse applying for a license in Indiana as the nurse's home party state shall produce evidence of the nurse's primary state of residence. Such evidence shall include a declaration signed by the licensee and

(1) The following evidence must be provided:

- (A) Current driver's license with the nurse's home address; or
- (B) Other state or federally issued identification card that includes the nurse's home address.

(2) At least one (1) of the following documents must be provided:

- (A) Voter registration card displaying a home address; ~~or~~
- (B) Federal income tax return declaring the primary state of residence;
- (C) Such other evidence of residence as deemed acceptable by the board.

(b) A nurse changing primary state of residence, from another party state to Indiana, may continue to practice under the former home state license and multi-state licensure privilege during the processing of the nurse's license application in Indiana for a period not to exceed thirty (30) days if the nurse complies with 848 IAC 6-1-4.

(c) The former home state license shall no longer be valid upon the issuance of an Indiana license.

(d) If the nurse has been granted a multistate privilege under 848 IAC 6-1-4, the board may limit or revoke a nurse's authority to practice in Indiana under IC 25-23.2-3-5.

(e) If the Indiana board denies licensure, the Indiana board shall notify the former home state within ten (10) business days and the former home state may take action in accordance with that state's laws and rules.

(f). A nurse licensed in a party state and who has had an action taken limiting practice and/or requires monitoring may practice in Indiana only with prior written authorization from the home state and the Indiana Board.

*(Indiana State Board of Nursing; 848 IAC 6-1-2)*

#### 848 IAC 6-1-3 Coordinated Licensure Information System; levels of access

Authority: IC 25-23-1-7; IC 25-23.2-3-5

Affected: IC 25-23-1; IC 25-23.2

Sec. 3. (a) The public shall have access to nurse licensure information as required under IC 5-14-3.-

(b) The licensee may request in writing that the Indiana Board, if Indiana is the licensee's home state, review the data relating to the licensee in the Coordinated Licensure Information System. In the event a licensee asserts that any data relating to him or her is inaccurate, the burden of proof shall be upon the licensee to provide evidence that substantiates such claim. The Board shall verify and correct inaccurate data to the Coordinated Licensure Information System.

(c) The Board shall report to the Coordinated Licensure Information System:

- (1) disciplinary action, agreement or order requiring participation in alternative programs or which limit practice or require monitoring (except agreements and orders relating to participation in alternative programs required to remain nonpublic by contributing state authority);
- (2) dismissal of complaint; and
- (3) changes in status of disciplinary action, or licensure encumbrance.

*(Indiana State Board of Nursing; 848 IAC 6-1-3)*

#### 848 IAC 6-1-4 Multistate licensure privilege form; requirements

Authority: IC 25-23-1-7; IC 25-23.2-3-5

Affected: IC 25-23-1; IC 25-23.2

Sec. 4. (a) A nurse who is licensed in a party state and who obtains employment as a nurse in Indiana shall file a multistate licensure privilege form with the health professions bureau and pay the fee established in 848 IAC 1-1-14.

(b) A nurse filing a multistate licensure privilege form shall produce evidence of the nurse's primary state of residence. Such evidence shall include a declaration signed by the nurse.

(1) The following evidence must be provided:

- (D) Current driver's license with the nurse's home address; or
- (E) Other state or federal issued identification card that includes the nurse's home address.

(2) At least one (1) of the following documents must be provided:

- (F) Voter registration card displaying a home address;
- (G) Federal income tax return declaring the primary state of residence;
- (H) Such other evidence of residence as deemed acceptable by the board.

(c) Approval from the Indiana State Board of Nursing must be obtained prior to commencing employment.

*(Indiana State Board of Nursing; 848 IAC 6-1-4)*

#### 848 IAC 6-1-5 Updating the multistate licensure privilege form

Authority: IC 25-23-1-7; IC 25-23.2-3-5

Affected: IC 25-23-1; IC 25-23.2

Sec. 5. (a) The application form for updating the multistate licensure privilege form will be mailed to registered nurses in odd numbered years and to practical nurses in even numbered years.

(b) Applicants for updating the multistate licensure privilege form shall pay a fee established by 848 IAC 1-1-14.

(c) Applications for updating the multistate licensure privilege form shall be mailed to the last known address of the nurse holding the licensure privilege. Failure to receive the application to update the multistate licensure privilege form shall not relieve the nurse of the responsibility for updating the multistate licensure privilege form by the expiration date.

*(Indiana State Board of Nursing; 848 IAC 6-1-5)*

#### 848 IAC 6-1-6 Participation in the Impaired Nurses Program

Authority: IC 25-23-1-7; IC 25-13.2-3-5

Affected: IC 25-23-1; IC 25-23.2

Sec. 6. (a) Nurses who have on file with the Indiana board an approved current multistate licensure privilege form are eligible to participate in the board designated nurse rehabilitation program established under IC 25-23-1-31, only if approval to participate is granted by the Indiana board.

(b) The board may require a nurse holding a multistate licensure privilege for practice in Indiana to participate in the board designated nurse rehabilitation program as a condition of authorization to remain in or return to practice.

*(Indiana State Board of Nursing; 848 IAC 6-1-6)*

#### 848 IAC 6-1-7 Name and address changes

Authority: IC 25-23-1-7; IC 25-13.2-3-5

Affected: IC 25-23-1; IC 25-23.2

Sec. 7. (a) Name changes shall be submitted to the board in writing accompanied by a copy of a marriage certificate or court order verifying the change of name.

(b) Address changes must be reported to the board in writing within thirty (30) days of the change. A nurse must submit proof of identification with the address change.